


supplemental briefs on whether any holdings of Mascio, which are binding on this court, should guide this court's decision.

The court notes that this Order should not be construed as an opportunity for Plaintiff to assert novel and additional theories of error, but only as a means for him to address any potential arguments that it believes the court should consider under the binding precedent resulting from Mascio. Additionally, if the parties are in agreement that Mascio is inapplicable to the facts of this case, they should so state on the record.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff file a supplemental brief addressing those issues discussed herein within 14 days of this Order. Commissioner shall have 14 days from such filing to file a responsive supplemental brief. There will be no reply.

Signed: March 17, 2016



Max O. Cogburn Jr.
United States District Judge